

Employee Post-Travel Disclosure of Travel Expenses

Date/Time Stamp:
RECEIVED
SECRETARY OF THE SENATE
PUBLIC RECORDS

Post-Travel Filing Instructions: Complete this form within 30 days of returning from travel. Submit all forms to the **Office of Public Records in 232 Hart Building.**

2019 APR 25 AM 11:34

In compliance with Rule 35.2(a) and (c), I make the following disclosures with respect to travel expenses that have been or will be reimbursed/paid for me. I also certify that I have attached:

- ☒ The **original** *Employee Pre-Travel Authorization* (Form RE-1), **AND**
☒ A **copy** of the *Private Sponsor Travel Certification Form* with all attachments (itinerary, invitee list, etc.)

Private Sponsor(s) (list all): National Democratic Institute

Travel date(s): 3/28/2019 - 4/01/2019

Name of accompanying family member (if any): _____

Relationship to Traveler: ☐ Spouse ☐ Child

IF THE COST OF LODGING DID NOT INCREASE DUE TO THE ACCOMPANYING SPOUSE OR DEPENDENT CHILD, ONLY INCLUDE LODGING COSTS IN EMPLOYEE EXPENSES. (Attach additional pages if necessary.)

Expenses for Employee:

	Transportation Expenses	Lodging Expenses	Meal Expenses	Other Expenses (Amount & Description)
<input type="checkbox"/> Good Faith Estimate	\$984.49	\$984.49	\$74.70	
<input checked="" type="checkbox"/> Actual Amount				

Expenses for Accompanying Spouse or Dependent Child (if applicable):

	Transportation Expenses	Lodging Expenses	Meal Expenses	Other Expenses (Amount & Description)
<input type="checkbox"/> Good Faith Estimate				
<input type="checkbox"/> Actual Amount				

Provide a description of all meetings and events attended. See Senate Rule 35.2(c)(6). (Attach additional pages if necessary.): **See attached.**

4-25-2019
(Date)

Naz Durakoglu
(Printed name of traveler)

[Signature]
(Signature of traveler)

TO BE COMPLETED BY SUPERVISING MEMBER/OFFICER:

I have made a determination that the expenses set out above in connections with travel described in the *Employee Pre-Travel Authorization* form, are necessary transportation, lodging, and related expenses as defined in Rule 35.

4-25-2019
(Date)

[Signature]
(Signature of Supervising Senator/Officer)

Form RE-1

United States Senate

SELECT COMMITTEE ON ETHICS

March 26, 2019

Naz Durakoglu
Office of Senator Jeanne Shaheen
United States Senate
Washington, DC 20510

Dear Ms. Durakoglu:

This responds to your recent correspondence concerning an invitation you received to travel to an international election observation mission in Kyiv, Ukraine, on March 28 to April 1, 2019, sponsored by the National Democratic Institute (NDI), using funds provided to them by the U.S. Agency for International Development. NDI certified to the Select Committee on Ethics (the Committee) that it will pay the *necessary expenses*¹ related to the travel and that it is neither a lobbyist, nor lobbying firm, nor agent of a foreign principal, and it is not otherwise acting as a representative or agent of a foreign government. NDI has also certified that it does not retain or employ a registered lobbyist or agent of a foreign principal and that no registered lobbyist or agent of a foreign principal will accompany you at *any point throughout your trip*.²

Based on information and materials available to the Committee, and assuming the **actual** travel and travel-related expenses conform to the information and materials you provided, it appears that the proposed payment or reimbursement of necessary expenses for this trip **may be accepted** under relevant Senate Rules and the Committee's *Regulations and Guidelines for Privately-Sponsored Travel*, so long as at the time of the payment or reimbursement, NDI is neither a registered lobbyist nor lobbying firm under the Lobbying Disclosure Act of 1995, nor an agent of a foreign principal under the Foreign Agents Registration Act (and is not otherwise acting as a representative or agent of a foreign government), and provided the travel and all required documents are disclosed to the Secretary of the Senate in accordance with the provisions of Senate Rules 34 and 35.

Under Senate Rule 35, Senate staff must receive advance authorization signed by the Member or officer under whose direct supervision the individual works in order to accept payment or reimbursement for necessary expenses related to fact-finding travel. Further, such authorization and expenses must be disclosed to the Secretary of the Senate by filing the completed *Employee Pre-Travel Authorization* and the *Employee Post-Travel Disclosure of Travel Expenses* (Form RE-1 and Form RE-2), along with a copy of the *Private Sponsor Travel*

¹ The term “necessary expenses” has a specific definition. See *Select Committee on Ethics’ Regulations and Guidelines for Privately-Sponsored Travel – Glossary of Terms* at 8.

² The term “any point throughout your trip” has a specific definition. See *Select Committee on Ethics’ Regulations and Guidelines for Privately-Sponsored Travel – Glossary of Terms* at 2.

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Certification Form, and all relevant attachments (e.g., the private sponsor's invitation and itinerary) **within 30 days of the conclusion of Privately-Sponsored Travel.**

The Committee has determined that § 501(c)(3) non-profit organizations that are classified as private foundations, as opposed to public charities, may not pay for transportation from the United States to a foreign country.³ However, NDI represented to the Committee that it is a § 501(c)(3) public charity, as opposed to a private foundation, pursuant to the Internal Revenue Code.⁴

Please be advised that the United States Constitution prohibits the acceptance of any gift, including a meal, from a foreign government without the consent of Congress. In the Foreign Gifts and Decorations Act (FGDA), Congress consented to the acceptance by federal government officials of: (1) gifts of minimal value and (2) travel or the expenses for travel taking place entirely outside the United States, from a foreign government (which includes those acting as a representative or agent of a foreign government).⁵ The Senate has defined minimal value as \$100 or less. Further, pursuant to FGDA, there are certain reporting and procedural requirements that are imposed upon Members, officers, and employees who accept gifts from a foreign government. Please review the Committee's "Dear Colleague" letter of January 11, 2019, setting forth the items to be included in filing that report.

Finally, Senate Rule 34 requires a reporting individual,⁶ on his or her Financial Disclosure Report, to make an annual disclosure of the receipt of payments or reimbursements under Senate Rule 35 from a private sponsor for officially-related travel expenses where, in the aggregate, travel expenses exceed \$390 from that sponsor during a calendar year. However, if a Member, officer, or employee properly reports the receipt of necessary expenses for such travel to the Secretary of the Senate within 30 days of the travel, as discussed above, the travel expenses need not be disclosed a second time on their Financial Disclosure Report.

If you have any additional questions, please do not hesitate to contact the Committee.

Sincerely,



Deborah Sue Mayer
Chief Counsel and Staff Director

Enclosure: Travel Checklist

³ See 26 U.S.C. § 4941 et seq. Section 501(c)(3) of the Internal Revenue Code broadly defines non-profit, charitable, tax-exempt organizations. These § 501(c)(3) organizations are then further defined or designated as "public charities" and "private foundations."

⁴ 26 U.S.C. § 501(c)(3).

⁵ 5 U.S.C. § 7342.

⁶ A reporting individual is someone whose salary equals or exceeds 120% of the basic rate of pay for GS-15 (\$126,148 for CY 2019) or is a political fund designee and is required to file Financial Disclosure Reports.

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Participant List

**NDI International Observation Mission
Ukraine Presidential Elections 2019
March 26 - April 2, 2019**

First Name	Last Name	Affiliation
Paige	Alexander	Former USAID Assistant Administrator
Mariam	Baramidze	NDI Georgia
Robin	Carnahan	NDI Board, Former Missouri Secretary of State
Corina	Cepoi	Internews
Naz	Durakoglu	US Senate
Audrey	Glover	Chairman, Foreign Policy Centre
Gabrielle	Gould	US House
Christina	Hartman	Independent Elections Expert and Political Consultant
Laura	Jewett	NDI Regional Director for Eurasia
Lionel	Johnson	NDI Board
Peeter	Kaaman	Independent Democracy Assistance Expert
Jonathan	Katz	GMF
Mirjam	Krijnen	Candidate for Dutch Senate
Magda	Labadze	NDI Georgia
Kathleen	Matthews	Former Chair, Maryland Democrats
Michelle	McGrorty	Independent Political Expert
Damian	Murphy	US Senate
Mary	O'Hagan	NDI Resident Senior Director in Ukraine
Birgitta	Ohlsson	Former Minister of EU Affairs/Member of Parliament
Christy	Quirk	Independent Opinion Research and Political Expert
Joanna	Rohozinska	National Endowment for Democracy
Bob	Satawake	NDI Equal Voices for Democracy Committee
William	Taylor	United States Institute of Peace

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Time	Activity	Location
	March 29, Friday	
<i>1:10 pm</i>	<i>Delegates arrive in Kyiv and met at airport by NDI staff</i>	<i>Boryspil International Airport</i>
2:00 pm - 4:00 pm	Delegates check-in and receive briefing materials	Hyatt Regency Kyiv
4:00 pm - 7:30 pm	Training on election day procedures, International Election Code of Conduct, logistics, and security NDI-Ukraine staff will conduct the trainings. Topics of discussion will include best practices and standards for international election monitoring, instructions for completing reporting forms at polling stations, logistical arrangements for deployment, and security guidelines and procedures.	Hyatt Regency Kyiv
<i>7:30 pm</i>	<i>Dinner with European Parliament</i>	<i>Hyatt</i>
	March 30, Saturday	
<i>7:30 am - 9:00 am</i>	<i>Breakfast</i>	<i>Hyatt</i>
9:00 am - 10:30 am	Meeting with Ambassadors	Hyatt - Library

	All Kyiv-based delegates will meet with the British Embassy, the Embassy of the Kingdom of Sweden, the U.S. Embassy, the E.U. Delegation, the Norwegian Embassy, the Canadian Embassy, and the Council of Europe to discuss the election environment.	
10:30 am - 12:15 pm	Private Meeting with Ambassador Yovanovitch Senate staffers will have a private meeting with U.S. Ambassador to Ukraine Marie Yovanovitch to discuss the election and its implications for U.S. foreign policy in the region.	Hyatt - Library
12:15 pm - 2:00 pm	Delegation lunch	<i>Hyatt</i>
<i>2:15 pm - 2:30 pm</i>	<i>Transfer to ODIHR</i>	
2:30 pm - 4:15 pm	Delegation meeting with the Organization for Security and Co-operation in Europe Office for Democratic Institutions and Human Rights (OSCE/ODIHR) Delegates will meet with representatives of OSCE/ODIHR to discuss human rights issues in Ukraine and OSCE/ODIHR's election observation mission.	ODIHR Offices
<i>4:15 pm - 4:30 pm</i>	<i>Transfer to hotel</i>	
4:30 pm - 6:00 pm	NDI internal debrief Delegates will meet to discuss the day's meetings, focusing on key takeaways and issues to observe at polling stations. NDI staff will also review procedures and logistics for election day deployment with the delegation.	Hyatt - Library
	<i>Evening Free</i>	
	March 31, Sunday	
<i>5:50 am</i>	<i>Depart hotel for first polling station</i>	
07:00 am - 8:30 am	Observe opening of polling station #1 Ensure that polling stations open on time	<i>Vasylkiv, Kyiv Oblast</i>

	<p>Note any voting irregularities that may arise and general observations based on earlier training with NDI staff</p> <p>Report observations to NDI Kyiv office</p>	
8:30 am - 9:30 am	<p>Observe polling station #2</p> <p>Note any voting irregularities that may arise and general observations based on earlier training with NDI staff</p> <p>Report observations to NDI Kyiv office</p>	<i>Ksaverivka village, Kyiv Oblast</i>
9:30 am - 10:30 am	<p>Observe polling station #3</p> <p>Note any voting irregularities that may arise and general observations based on earlier training with NDI staff</p> <p>Report observations to NDI Kyiv office</p>	<i>Sokolivka village, Kyiv Oblast</i>
10:30 am - 11:30 am	<p>Observe polling station #4</p> <p>Note any voting irregularities that may arise and general observations based on earlier training with NDI staff</p> <p>Report observations to NDI Kyiv office</p>	<i>Bila Tserkva, Kyiv Oblast</i>
11:30 am - 1:00 pm	<i>Lunch</i>	<i>Lunch Near Polling Station #4</i>
1:00 pm - 2:30 pm	<p>Observe polling station #5</p> <p>Note any voting irregularities that may arise and general observations based on earlier training with NDI staff</p> <p>Report observations to NDI Kyiv office</p>	<i>Bila Tserkva, Kyiv Oblast</i>
2:30 pm - 4:00 pm	<p>Observe polling station #6</p> <p>Note any voting irregularities that may arise and general observations based on earlier training with NDI staff</p> <p>Report observations to NDI Kyiv office</p>	<i>Bila Tserkva, Kyiv Oblast</i>
4:00 pm - 5:30 pm	<p>Observe polling station #7</p> <p>Note any voting irregularities that may arise and general observations based on earlier training with NDI staff</p> <p>Report observations to NDI Kyiv office</p>	<i>Vasylkiv, Kyiv Oblast</i>

<i>5:30 pm - 7:00 pm</i>	<i>Dinner</i>	<i>Dinner Near Polling Station #7</i>
7:00 pm - 9:00 pm	Observe closing of polling station #1 Observe closing procedures and general observations, noting any discrepancies with international standards Report observations to NDI Kyiv office	Chabany, Kyiv Oblast
	<i>Evening Free</i>	
	April 1, Monday	
10:30 am - 11:15 am	Debrief with delegates Kyiv-based delegates, and any delegates returning from nearby cities, will debrief their experiences with delegation leadership, reporting back on trends and hearing about what other delegates saw in the nearby regions. This meeting will continue to 12:30 to allow more delegates to return from various locations.	Hyatt - London Room
<i>11:15 am</i>	<i>Depart for Boryspil Airport</i>	
12:10 pm	Arrive at Boryspil Airport	Boryspil International Airport
2:10 pm	Depart Kyiv for Washington, D.C.	

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The Senate Member, officer, or employee **MUST** also provide a copy of this form, along with the appropriate travel authorization and reimbursement form, to the Office of Public Records (OPR), Room 232 of the Hart Building, within thirty (30) days after the travel is completed.

1. Sponsor(s) of the trip (please list all sponsors): _____

3. Dates of travel: March 28 - April 1, 2019

5. Name and title of Senate invitees: Naz Durakoglu, Senior Policy Advisor, Senator Jeanne Shaheen

- OR -

- AND -

- AND -

Private Sponsor Certification - Page 1 of 4

9. **USE ONLY IF YOU CHECKED QUESTION 6(B)**

I *certify* that if the sponsor or sponsors retain or employ one or more registered lobbyists or agents of a foreign principal, one of the following scenarios applies:

☐ (A) The trip is for attendance or participation in a one-day event (exclusive of travel time and one overnight stay) and no registered lobbyists or agents of a foreign principal will accompany the Member, officer, or employee *on any segment* of the trip.

– OR –

☐ (B) The trip is for attendance or participation in a one-day event (exclusive of travel time and two overnight stays) and no registered lobbyists or agents of a foreign principal will accompany the Member, officer, or employee *on any segment* of the trip (*see questions 6 and 10*).

– OR –

☐ (C) The trip is being sponsored only by an organization or organizations designated under § 501(c)(3) of the Internal Revenue Code of 1986 and no registered lobbyists or agents of a foreign principal will accompany the Member, officer, or employee *at any point* throughout the trip.

10. **USE ONLY IF YOU CHECKED QUESTION 9(B)**

If the trip includes two overnight stays, please explain why the second night is practically required for Senate invitees to participate in the travel:

11. ☒ An itinerary for the trip is attached to this form. I *certify* that the attached itinerary is a detailed (hour-by-hour), complete, and final itinerary for the trip.

12. Briefly describe the role of each sponsor in organizing and conducting the trip:

NDI is facilitating an independent, international election observation mission to Ukraine for the March 2019 presidential election. NDI's role is to recruit and deploy a multinational group of observers that can provide a credible, external analysis on the conduct of the election.

13. Briefly describe the stated mission of each sponsor and how the purpose of the trip relates to that mission:

NDI is a nonprofit, nonpartisan, nongovernmental organization working to support and strengthen democratic institutions worldwide. The observation delegation will monitor the Ukrainian presidential election, noting voting irregularities and reporting on the polling environment.

14. Briefly describe each sponsor's prior history of sponsoring congressional trips:

Through the House Democracy Partnership, NDI facilitates meetings and briefings for congressional delegations that visit other countries. Additionally, NDI has sponsored international observer delegations comprised of former heads of state, high-level government officials, and leading political figures.

15. Briefly describe the educational activities performed by each sponsor (other than sponsoring congressional trips):

NDI provides technical assistance to parliament on constituent outreach and transparency and trainings for civil society organizations on advocacy. NDI also works with domestic and international observers to monitor elections, builds coalitions for electoral reform, and trains women candidates.

- 16. Total Expenses for Each Participant:**

	Transportation Expenses	Lodging Expenses	Meal Expenses	Other Expenses
<input checked="" type="checkbox"/> Good Faith estimate <input type="checkbox"/> Actual Amounts	\$897.63 (airfare and taxis)	\$729 (based on federal government per diem rates)	\$472.50 (based on federal government per diem rates)	\$117 (incidental expenses, based on federal government per diem rates)

17. State whether a) the trip involves an event that is arranged or organized *without regard* to congressional participation or b) the trip involves an event that is arranged or organized *specifically with regard* to congressional participation:

The trip is arranged without regard to congressional participation.

18. Reason for selecting the location of the event or trip

Presidential election

19. Name and location of hotel or other lodging facility:

Hyatt Regency, Ally Tarasovoi St, 5, Kyiv, Ukraine, 01001

20. Reason(s) for selecting hotel or other lodging facility:

Value for money, proximity to local partners and NDI office, availability of meeting space in hotel

21. Describe how the daily expenses for lodging, meals, and other expenses provided to trip participants compares to the maximum per diem rates for official Federal Government travel:

The Federal Government's maximum per diem rates are strictly observed for the purposes of the trip. .

22. Describe the type and class of transportation being provided. Indicate whether coach, business-class or first class transportation will be provided. If first-class fare is being provided, please explain why first-class travel is necessary:

Round-trip coach airfare will be provided

23. ☒ I represent that the travel expenses that will be paid for or reimbursed to Senate invitees do not include expenditures for recreational activities, alcohol, or entertainment (other than entertainment provided to all attendees as an integral part of the event, as permissible under Senate Rule 35).

24. List any entertainment that will be provided to, paid for, or reimbursed to Senate invitees and explain why the entertainment is an integral part of the event:

N/A

25. I hereby *certify* that the information contained herein is true, complete and correct. (For trips involving more than one sponsor, you *must* include a completed signature page for each additional sponsor):

Signature of Travel Sponsor:

Name and Title: Laura Jewett, Regional Director

Name of Organization: National Democratic Institute

Address: 455 Massachusetts Ave NW, Washington, DC 20001

Telephone Number: 202-728-5679

Fax Number: 888-875-2887

E-mail Address: lauraj@ndi.org